



GENERAL ORDER



SERIES
305

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1

EFFECTIVE DATE
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SUBJECT

Handling Juveniles

DISTRIBUTION

A

ORIGINATING UNIT

PRD

The purpose of this order is to establish the policy and procedures for handling juveniles who come into contact with members of the department. This order consists of the following parts:

**PART I Responsibilities and Procedures for
Members of the Department**

- A. Policy.
- B. Contacts.
- C. Requesting Services of the Youth Division.
- D. Child Neglect/Abuse Cases.
- E. PD Forms 379 (Juvenile Reporting Forms).
- F. Public Hall Curfew Violations.
- G. A.B.C. Violations.
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- D. Youth Services Coordinator.
- E. Commanding Officers, Patrol Districts.
- F. Commanding Officer, Youth Division.
- G. Director, Identification & Records Division.
- H. Director, Data Processing Division.
- I. Director, Training Division.

PART I

A. Policy.

1. All juvenile matters shall be handled with tact, consideration, and in cooperation with parents or private and public agencies in an effort to prevent delinquency and control juvenile crime.

2. Principal factors to be considered by members dealing with juveniles are age, attitude, prior involvements, nature of the offense, and the seriousness of the complaint.

3. Members shall be especially alert for those juveniles who are abandoned, abused, or neglected to the point of endangering their welfare, morals, or safety.

4. Whenever a question or doubt arises as to the proper course of action to take in the handling of a juvenile matter, it shall be resolved by contacting a Youth Services or Youth Division officer.

5. Whenever a legal problem arises, members shall contact the Assistant Corporation Counsel on call, by having their element station clerk or Communications Division Supervisor access the information from WALES. In the absence of an Assistant Corporation Counsel, members may page a member of the department's General Counsel.

6. Every effort shall be made to protect and secure the health and welfare of children by investigating all matters of:

- a. Truancy,
- b. Neglect or abuse, and
- c. Delinquency and absconders from homes and institutions or other incidents which may properly come within the scope of police authority.

7. The Receiving Home for Children is the primary place of detention for juveniles prior to their appearance in court.

8. The diversion vs court referral decision, and the release vs detention decision (for cases referred to court), can only be made by a Youth Services/Youth Division officer.

B. Contacts.

1. When involved in contacts with juveniles, members shall be especially alert for juveniles who are:

- a. Employed contrary to the provisions of the Child Labor Laws and Cruelty to Children statutes of the D.C. Code;
- b. Involved in anti-social behavior or violations of the law; or
- c. Runaways or fugitives from home(s), institutions, or other jurisdictions.

2. Normally, when contact is made due to unruly or mischievous behavior, the member shall:

- a. Record the juvenile's name and address in his/her notebook for future reference;

- b. Counsel the juvenile; and
- c. Suggest other activities for the juvenile to pursue.

3. When there are mitigating circumstances such as misunderstandings, the member shall:

- a. Obtain the name and address of the juvenile;
- b. Contact the Juvenile Records Section, Identification and Records Division, for a record check;
- c. Apprise the juvenile of the intent to file a report of the incident for future reference; and
- d. Immediately notify the parent(s) or guardian and include this information on PD Form 379-C (Juvenile Incident Report).

4. When there is evidence that a juvenile has violated a regulation or law, or disregarded the rights or safety of others resulting in the loss of property or physical injury, the member shall:

- a. Obtain the name and address of the juvenile(s), complainant(s), and any witnesses;
- b. Notify the parent(s) or guardian; and
- c. If assigned to a patrol district or the Special Operations Division and it is between the hours of 0800-2400, respond to or contact the Youth Services office in the district in which the offense/incident occurred.

C. Requesting Services of the Youth Division.

Members shall request the services of a Youth Division officer in the following instances:

- 1. For all juvenile matters between the hours of 2400-0800;
- 2. When the member is assigned to an organizational element other than a patrol district or the Special Operations Division;
- 3. When the incident involves another law enforcement agency, except in cases where the Metro Transit Police or the United States Capitol Police arrest juveniles for minor infractions of the law (in such cases the arresting officer shall, between the hours of 0800-2400, transport the juvenile to the closest district Youth Services office for processing);
- 4. When the incident involves a child who is neglected, in immediate danger, battered, abandoned, or physically or sexually abused; or
- 5. For all PINS (Persons In Need of Supervision) cases.

D. Child Neglect/Abuse Cases.

1. When investigating cases of reported child neglect or abuse, members shall:

- a. Remain on the scene,
- b. Notify the Youth Division,
- c. Secure the crime scene and protect the evidence when applicable, and
- d. Maintain the presence of suspects and witnesses.

2. When investigating narcotic related offenses (e.g., unlawful possession, use, sale, manufacture or distribution of narcotics/drugs), or discovering narcotics/drugs or drug paraphernalia in a household where children reside and are present, members shall:

- a. Notify a district Youth Services officer (during 0800-2400 hours), or the Youth Division during 2400-0800 hours; and
- b. Remain on the scene until the Youth Services officer arrives; or
- c. Contact a Youth Division officer and be guided by his/her instructions when a Youth Services officer is unavailable to respond.

Note: The only exception to the above reporting procedures are undercover officer(s) whose identity or investigation might be jeopardized. In these cases, the report to Youth Services/Youth Division and to the Department of Human Services shall be made promptly upon completion of the investigation.

3. When instructed by a Youth Services/Youth Division officer to prepare a report to the Child Protective Services Division, members shall check the box entitled "other" on the PD Form 379-B, and add the words "drug-related." The following information shall then be entered onto the PD Form 379-B:

- a. The name, date of birth, sex, and address of the following individuals in the household:
 - (1) The child who is the subject of the report;
 - (2) Each of the child's siblings; and
 - (3) Each of the child's parents or other persons responsible for the child's care;

- b. A suspect or person arrested, other than those person(s) listed in Part ID3a;
- c. The name of the Youth Services and/or Youth Division officer(s) notified as well as the date and time of notification; and
- d. The representative of the Child Protective Services Division notified, and the referral number which was received.

E. PD Forms 379 (Juvenile Reporting Forms).

1. PD Forms 379 (Juvenile Reporting Forms) shall be used as general purpose referral forms for recording most juvenile matters. The following is a list of PD Forms 379 according to number and title:

- a. PD Form 379 (Delinquency Report) shall be used to process all juvenile arrests.
- b. PD Form 379-B (Child Abuse-Neglect Complaint) shall be used to document all incidents involving juveniles which involve any type of child abuse/neglect (whether physical or as a result of exposure to "drug-related" activity in the home environment). These forms shall be delivered to the Youth Division with the midnight papers.
- c. PD Form 379-C (Juvenile Incident Report) shall be used to document all incidents involving juveniles who are not documented on the PD form 379 (Delinquency Report) or the PD Form 379-B (Child Abuse-Neglect Complaint). Incidents to be documented on the PD Form 379-C fall within one of the following three areas:
 - (1) Truancy Report: Instances of children found to be truant and returned to either a truancy center or school, as appropriate, shall be documented as a truancy report. The narrative need only contain the truant's reason for not being in school;
 - (2) Non-criminal Contact: Contacts of a non-criminal nature (e.g., "at risk" of becoming involved in delinquent behavior) shall be explained on the PD Form 379-C; and
 - (3) Detention Report: This category is used to document those cases where the juvenile is released without being charged. Juveniles shall only be placed on the Detention Journal when charged previously by the court as an adult.

- d. PD Form 379-D (Delinquency Processing Report) shall be used to document diversion versus court referral, and detention versus release decisions (these decisions are made by the Youth Division/Youth Services officer).
- e. PD Form 379-E (Assessment Checklist for Referrals) shall be used by Youth Division/Youth Services officers to document results of inquiries into the juvenile's background and to assist in making a preliminary determination as to whether referral should be made. This form shall also be used to document and complete all follow-up investigations by Youth Services officers and staff members of the Metropolitan Police Boys and Girls Clubs.

2. In all instances in which a member refers a juvenile matter to a District Youth Services officer or a Youth Division officer, the appropriate PD Form 379 shall be executed by the referring/arresting member.

- a. The referring member shall be responsible for including the action he/she has taken and the immediate notification of the parent(s) or guardian of the juvenile (if deemed necessary, a hearing may be scheduled at this time with the parent(s) or guardian).
- b. Once a disposition has been assigned, all completed copies of the appropriate PD Form 379 (except for the page designated for Youth Services) shall be forwarded to the Youth Division for review accompanied by a PD Form 237-A (PD Form 379 Transmittal). The original copy of the PD Form 237-A shall be retained by the Youth Division, and the copy shall be returned to the Youth Services office of origin.
- c. When a PD Form 379 is prepared by a Youth Division officer, page 5 shall be forwarded to the district in which the offense occurred (this copy indicates to the Youth Services office that the incident/arrest was an "outside" case).

F. Public Hall Curfew Violations.

1. Owners or managers of public halls may not permit minors (i.e., persons under the age of 18 years) to be present on the licensed premises (excluding movie theaters or buildings in which fairs, carnivals, exhibitions, lectures, or theatrical performances are being held) during the hours of 2330 and 0800, Sunday through Thursdays, except days preceding holidays, and between 0100 and 0800 hours, on Saturdays, Sundays, and legal holidays.

2. Upon the discovery of a public hall curfew violation, members shall:

a. Prepare a PD Form 251 (Event Report):

- (1) Classify the incident as a "Public Hall Curfew Violation;" and
- (2) List the member as the reporting/complaining person. Do not list the name of the juvenile on the PD Form 251; and

b. Prepare a PD Form 379-C and, when applicable, a PD Form 202-A (Continuation Report), to include the name of the juvenile(s) involved.

3. Forward the completed forms to the preparing element's Youth Services office, or, when the reporting unit does not have a Youth Services office, to the Youth Division.

G. A.B.C. Violations.

In instances where persons under the age of 18 years of age are discovered intoxicated on the premises of an A.B.C. establishment, the reporting member shall immediately notify their element Youth Services officer, or, when applicable, a member of the Youth Division, and be guided by the procedures set forth in General Order No. 401.4 (Reporting Violations of the A.B.C. Regulations and the "General License Law").

H. Traffic Infractions.

1. Notices of infraction shall:

- a. Be issued to all 16 and 17 year-old persons charged with traffic violations. If summarily arrested:
 - (1) The juvenile shall be processed as an adult, except for transportation and detention, and
 - (2) In this instance, is eligible to participate in the Citation Release Program (but may not be diverted).
- b. Not be issued when a traffic offense involves a person under the age of 16.

2. In addition to preparing the PD Forms 379 and 379-D for persons under the age of 16 charged with a minor traffic offense, the member initiating the report shall:

- a. Notify both the juvenile and his/her parent(s) or guardian that they will be contacted by a Youth Services officer; and
- b. Ensure that the PD Forms 379 and 379-D are forwarded to the Youth Services office in the district of occurrence.

3. In cases of serious traffic violations or when a member may reasonably assume that the juvenile and parents will not respond to a notice from a Youth Services officer or the Family Division, Superior Court, a Youth Services/Youth Division officer shall process the case.

4. Traffic violations involving persons under the age of 16 years shall be disposed of by a Youth Services/Youth Division officer in one of the following ways:

- a. Warn the juvenile,
- b. If eligible, refer the juvenile to Traffic or Pedestrian School,
- c. Refer the juvenile to the Family Division, Superior Court, or
- d. Divert the juvenile.

I. Arrest Warrants.

1. When applying for arrest warrants for juveniles, 16 and 17 years of age, who may be charged as adults under D.C. Code Title 16, Section 2301, 3(a), members shall:

- a. Complete Form W-1 (Affidavit in Support of an Arrest Warrant);
- b. Present the affidavit to an Assistant U.S. Attorney, Grand Jury Intake Section, Superior Court, for approval prior to presenting the affidavit to a judge, in accordance with the procedures outlined in General Order No. 702.1 (Arrest and Bench Warrants); and
- c. If the Assistant U.S. Attorney declines to approve the arrest warrant or the judge does not issue the warrant, immediately respond to the Assistant Corporation Counsel, Juvenile Section, and apply for a custody order using Form W-1 as the custody order application.

2. Custody Orders shall be obtained, processed, and served in accordance with General Order No. 702.2 (Juvenile Custody Orders).

J. Absconders.

1. Members receiving reports of absconders from the Department of Human Services delinquent detention facilities (e.g., Receiving Home or halfway houses) shall immediately:

- a. Notify the Youth Division by telephone, and
- b. Transmit a lookout.

2. Runaways from non-delinquent facilities (e.g., shelter home, foster home) are considered missing persons. In these cases, members shall adhere to the provisions outlined in General Order No. 304.3 (Missing Persons).

3. Members apprehending juveniles wanted in other jurisdictions as fugitives, runaways, or absconders shall contact the Youth Division for assistance in ascertaining whether the juvenile comes under the provisions of the Interstate Compact Act on juveniles.

4. Those juveniles detained as "fugitives from justice" who do not come under the Interstate Compact Act shall be processed as outlined in General Order No. 501.6 (Fugitives from Justice).

K. Processing Juveniles.

Members shall adhere to the following procedures when processing juveniles:

1. Initial Processing.

- a. When there is conflicting evidence as to whether a suspect is a juvenile, the member shall operate on the assumption that the suspect is a juvenile until the actual age is reasonably verified (e.g., birth certificate or print identification at the Central Cellblock, etc.).
- b. The Youth Services or Youth Division officer handling the case shall determine what charges are to be placed against the juvenile(s) involved.
 - (1) When conflicts arise, the district watch commander, after consultation with the appropriate Youth Services official, may overrule the decision of the Youth Services/Youth Division officer as to what charges shall be lodged against the juvenile(s).
 - (2) In this instance, the district watch commander shall approve the PD Form 379.
- c. When a juvenile is taken into custody for a criminal offense and the Youth Services/Youth Division officer refers the case to court, the arresting officer shall:
 - (1) Prepare PD Forms 251, 252, 379-D, and all applicable portions of the PD Form 379; and
 - (2) When charging a juvenile 16 or 17 years of age as an adult, in addition to preparing the juvenile reporting forms, complete all forms required for an adult arrest.

- d. When a juvenile has been taken into custody and later released without charge, the detaining officer shall document such release by preparing a PD 379-C, (except in the case of a juvenile 16 or 17 years of age charged as an adult, who shall be released in accordance with General Order No. 502.5 [Use of Detention Journal]).
- e. Whenever a child cannot be released to his/her parent or guardian and the case is being referred to court, the Youth Division/Youth Services officer processing the case is responsible for making a preliminary determination as to whether or not the child is "at risk." A child is considered to be "at risk" when one of the following conditions exist:
 - (1) The child is under the age of 13;
 - (2) The child is unusually small in size or stature or is physically handicapped;
 - (3) The child expresses suicidal thoughts or wishes;
 - (4) The child reports suffering from a serious contagious disease, such as AIDS, hepatitis, chicken pox, measles, mumps, or tuberculosis;
 - (5) The child is visibly pregnant, or reports that she is more than six months pregnant; or
 - (6) The child's apparent sexual orientation would place him/her "at risk."

2. Suicidal Tendency Information.

The processing Youth Division/Youth Services officer shall:

- a. Ascertain from the arresting member whether the juvenile has displayed any suicidal tendencies, and cause the juvenile's name to be entered into WALES (Washington Area Law Enforcement System) to determine the presence of suicidal tendency information/warning;

Note: During those periods in which WALES is not in operation, Youth Division/Youth Services officers shall contact the Central Cell Block (CCB) to determine whether the juvenile's name has been previously recorded on the "Suicidal Tendency" file.

- b. Immediately notify the watch commander (of the element/division where the juvenile is currently being detained), in the event the juvenile attempts to commit suicide while in police custody;
- c. Ensure that "SUICIDAL" is printed in bold letters across the top of all copies of the PD Form 379 (the WALES hard copy printout, if available, shall be attached and retained with the element's copy of PD Form 379); and
- d. Ensure that the juvenile is kept under close and direct observation until removed to a centralized confinement facility when informed that the juvenile in custody has a history of attempting suicide.
 - (1) When doubt exists regarding the identity of the individual in custody, the juvenile shall be handled as if he/she is suicidal until positive identification otherwise discloses that the record in fact relates to someone other than the juvenile who is actually being detained.
 - (2) Whenever the juvenile is transferred to the custody of another person, the person taking custody shall be fully and immediately apprised of the juvenile's suicidal tendencies.

3. Transportation.

- a. When a member requests a transport for a juvenile held in police custody, he/she shall inform the dispatcher that the subject is a juvenile and request a transport vehicle rather than a patrol wagon, if available.
- b. The member detaining the juvenile shall further ensure that:
 - (1) Male and female juveniles are not transported in the same compartment of a transport vehicle; and
 - (2) The juvenile is not transported with an adult prisoner.
- c. Additional transport assistance shall be requested as necessary to avoid either of the above situations.
- d. Members who transport a child under the age of thirteen (13) years of age or a child "at risk" to court, while court is in session, shall take the child to the "at risk" room at the Superior Court, where the child shall be turned over to a Department of Human Services representative (any questions concerning the location of the "at risk" room shall be directed to the Youth Services/Youth Division officer processing the case).

- e. Transporting officers shall not remain with the child unless the child is violent and/or the court Social Services representative requests the member's continued presence.
- f. When court is not in session, children under the age of 13 years and children "at risk" who are being referred to court and cannot be released to a parent or guardian shall be taken to the Receiving Home for Children.
- g. Prior to the transport, the Youth Services/Youth Division officer processing the case shall notify the Receiving Home for Children and obtain the name of the person notified.

4. Photographing and Fingerprinting.

- a. All photographing and fingerprinting of juvenile offenders shall be done by personnel of the Identification and Records Division, except in cases of child neglect, abuse, abandonment, habitual runaways, absconders, or unidentified juveniles, wherein Youth Division officers are authorized to take photographs or have them taken of juveniles.
- b. The following guidelines shall be utilized to determine when to photograph and fingerprint a juvenile:
 - (1) All juveniles 13 years of age and older, who are being referred to the Family Division of D.C. Superior Court charged with one of the below listed offenses, shall be processed through the Identifications Branch, Identification and Records Division, as quickly as possible after placement of charges:
 - (a) An offense that would constitute a felony if committed by an adult;
 - (b) Any drug distribution offense; or
 - (c) Part I misdemeanor offenses which include Theft II where the police value is \$50.00 or more, Attempted Theft II where the police value is \$50.00 or more, Attempted Theft I, Attempted Burglary, Attempted Unauthorized Use of a Motor Vehicle, and Simple Assault resulting in serious injury.
 - (2) Juveniles 13 years of age and older who are arrested for offenses not listed above shall not be fingerprinted and photographed without the prior authorization of the Youth Division Watch Commander. As nearly as possible, those instances should be confined to the following circumstances:

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- (a) There is the possibility of connecting the juvenile to a series of offenses;
 - (b) The juvenile is involved in a gang-related offense;
 - (c) The juvenile is being charged with a firearms offense; or
 - (d) The juvenile is being charged with a serious sex offense or act of perversion.
- (3) Juvenile offenders under 13 years of age shall not be fingerprinted and photographed without the prior approval of the Youth Division Watch Commander.
- (4) All questions concerning fingerprinting and photographing juveniles shall be referred to the Youth Division Watch Commander for resolution.
- (5) When the juvenile's current police contact does not involve a delinquent offense, he/she shall not be fingerprinted and photographed unless a court order has been obtained. When a court order is obtained, the following procedures shall be followed:
 - (a) Obtain a copy of the booking and processing order, signed by the judge, for processing; and
 - (b) Complete the PD Form 379-C to accompany the juvenile when the juvenile is presented in the Identification Branch, Identification and Records Division.
- (6) When a juvenile is arrested or detained for a violation of the D.C. Code and released on a PD Form 379 without being charged, the Youth Services/Youth Division officer shall place the juvenile's right thumbprint in the appropriate box on the original copy of the form, as a means of verifying the juvenile's identity at some future date if questions should arise.

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5. Detention.

a. Persons under the age of 18 shall not be placed in cellblocks or any place where adult prisoners are confined unless:

- (1) Approval has been obtained from a judge of the Family Division or the Director of Social Services, D.C. Superior Court; or
- (2) The juvenile has been previously charged as an adult by the court.

b. When a juvenile is released pending action by the Family Division, the Youth Services/Youth Division officer shall secure a signature from a parent, guardian, or custodian of the juvenile on PD Form 694 (Notice to Appear at Family Division, Superior Court).

c. Youth Services and Youth Division officers shall avoid placing juveniles in the Receiving Home, if possible, and shall only consider detention when one of the following conditions exist:

- (1) The parent(s), guardian, or custodian cannot be located after a diligent effort to do so;
- (2) It is reasonably assumed that the parent(s), guardian or custodian will not or cannot produce the juvenile before the Family Division when required;
- (3) The juvenile constitutes a serious threat to his/her own welfare or the public safety based on present and past offenses;
- (4) There is a strong reason to believe that the juvenile may be harmed by others if released; or
- (5) Juveniles over the age of 13 years, charged with distribution or possession with the intent to distribute illegal drugs, and/or possession of a firearm.

d. Juvenile detentions, except those under Title 16, shall be recorded only on the Central Juvenile Log.

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L. Court Procedures.

Generally, the constitutional rights of an adult suspect or offender shall also apply to juveniles, regardless of age.

1. The Superior Court of the District of Columbia Juvenile Rules 106 specify that the following juvenile cases must be referred to court for a detention decision by a judge sitting in the Family Division:

* * * * *

- a. Homicide, including attempts and assault with intent to kill;
- b. Forcible rape, including attempts and assault with intent to commit forcible rape;
- c. Armed robbery, including attempts and assault with intent to commit armed robbery;
- d. Burglary One; and
- e. Abscondence from court-ordered secure custody.

2. Juvenile cases involving an alleged delinquent act shall be referred to the Family Division of the Superior Court by the Youth Services/Youth Division officer handling the case, if the offense committed would amount to a serious misdemeanor or felony if committed by an adult. These offenses include the following:

- a. Any weapons offense involving a firearm;
- b. Any commercialized sex offense, e.g., soliciting for prostitution, soliciting for lewd and immoral purposes, and violation of the obscenity statute (D.C. Code 22-2001);
- c. Simple possession of a controlled substance classified in schedules I-IV of the "District of Columbia Uniform Controlled Substances Act of 1981" (D.C. Code 4-29), which includes heroin, mescaline, peyote, codeine, morphine, hashish, methadone, PCP, and cocaine, among others, but does not include cannabis (marijuana);
- d. All cases of distribution or possession with intent to distribute a controlled substance, including cannabis;
- e. Any offense which results in significant bodily injury;
- f. Any D.C. Code violation occurring in or on buildings and/or property of the D.C. Public School System committed by a juvenile who is not a student regularly enrolled at the school; and
- g. Any offense which involves damage or defacing of Washington Metropolitan Area Transit Authority vehicles or trains (these cases are diverted by the Office of the Corporation Counsel to a program operated by WMATA).

3. Youth Services/Youth Division officers shall refer a juvenile to the Family Division of the Superior Court, when the juvenile:

- a. Has previously been presented to the Family Division for an alleged delinquent act within the last two years;

- b. Is currently on probation;
- c. Has failed casework by a non-authoritative social service agency in the past;
- d. Has established a long-term pattern of being a habitual runaway from a juvenile home;
- e. Has a pattern of misbehavior which has been established by previous information recorded on the PD Form 379, specifically:
 - (1) Two or more arrests for the same offense within a two-year period (the third arrest for the same offense would trigger a court referral); or
 - (2) Three or more arrests for any violation of the D.C. Code within a two-year period (the fourth arrest for the same offense would trigger a court referral); or
- f. Has received social intervention of a non-authoritative nature, including the offer of services through the Early Intervention Program which has failed in the past because the juvenile and/or his/her parent(s) or guardian, are unwilling or unable to cooperate with social service agencies of a non-authoritative character.

4. In all cases where a 16 or 17 year-old is detained for any criminal offense (except traffic), the Youth Services or Youth Division officer shall check with the Juvenile Records Section, Identification and Records Division. If the check reveals that the 16 or 17 year-old has been previously charged by the court as an adult for any criminal offense, and the charge is still pending disposition, or the juvenile has been found guilty of the adult charge, or found not guilty by reason of insanity, the present and any subsequent arrest shall be handled the same as an adult arrest, regardless of the criminal charge.

- a. The juvenile shall be immediately booked on the arresting officer's element arrest book.
- b. All the necessary PD Forms shall be prepared as in an adult case, and the juvenile shall be processed in the same manner as an adult including detention and transportation.
- c. The arresting officer shall report on the next court day, with all necessary witnesses, to the office of the U.S. Attorney to paper the case.
- d. Such cases will be handled in their entirety in the Adult Branch of the Superior or District Court, as appropriate.

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5. In all cases where a 16 or 17 year-old is arrested for Murder, Forcible Rape, Robbery While Armed, Burglary I, or Assault with the intent to commit any of these offenses, and a check with the Juvenile Records Section indicates that the juvenile does not meet the above criteria, the following procedures shall be followed:

- a. The arresting officer shall prepare PD Forms 379, 379-D and all the necessary PD Forms as in an adult case, and the juvenile shall be processed as an adult except for detention and transportation.
- b. The Youth Services or Youth Division officer shall contact the booking clerk of the Juvenile Records Section and have all required information entered onto the Central Juvenile Log. No log number will be assigned at this time.
- c. The arresting officer shall report on the next court day, with all necessary witnesses, to the office of the U.S. Attorney to paper the case. If the Assistant U.S. Attorney to whom the case is presented determines that the juvenile is to be charged as an adult, the member shall notify:
 - (1) His/her element's station clerk to have the juvenile placed on the element arrest book; and
 - (2) The Juvenile Records Section, Identification and Records Division, providing them with:
 - (a) The element's arrest number, and
 - (b) The fact that the juvenile has been charged as an adult.
- d. If the Assistant U.S. Attorney decides not to prosecute the defendant as an adult, the arresting officer shall:
 - (1) Collect all notes and written references made regarding the case ("Jenks" material);
 - (2) Immediately report to the Office of the Corporation Counsel, Juvenile Section, and present the case to an Assistant Corporation Counsel for processing as a "juvenile case;" and

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- (3) Notify the Identification and Records Division, Juvenile Section, that the Title 16 case was referred back to the Family Division, Superior Court, and obtain a Juvenile Log Number.

6. In lock-up cases, the arresting officer shall appear in the Family Division, Superior Court, in accordance with General Order No. 701.1 (Courts and Hearings). In other than lock-up cases, members shall appear in court as specifically directed on PD Form 694 (Notice to Appear at Family Division, Superior Court/Youth Services Hearing).

M. Diversion vs. Court Referrals.

Diverting the juvenile and releasing him/her to a parent or guardian is generally an alternative to court referral in cases of minor violations and isolated offenses.

1. Diversion decisions shall:

- a. Be based on violations of relevant D.C. Code Statutes, not on incidents of a non-criminal nature;
- b. Not be used in instances where the juvenile should be re-leased without charge (e.g., PD Form 379-C [Detention Report] cases);
- c. Not be used as a tool to avoid prosecution in legitimate cases;
- d. Not be used as a "dumping ground" for cases that could be perceived to be weak or ineffective; and
- e. Not be based on a juvenile's, or his/her family's willingness to participate in the referral part of the Early Intervention Program.

2. Except for Title 16 cases, and 16 or 17 year-old respondents charged with traffic offenses, all cases of alleged delinquency not covered by Part II of this order are automatically eligible for diversion and the Early Intervention Program.

3. Previous participation in the Early Intervention Program shall not prevent participation in the program a second or third time.

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4. In unusual instances where the circumstances surrounding the case do not warrant court referral, and the offense is not covered by Juvenile Rule 106, the case may be diverted from court, provided permission is obtained from the Youth Division Watch Commander.

- a. These cases are eligible for the Early Intervention Program.
- b. The Youth Division Watch Commander's name, the date, and time shall be noted in the narrative position of the PD form 379.

N. Records.

1. Title 16, Section 2333 of the D.C. Code, restricts the inspection and disclosure of police juvenile records to certain persons, including teachers, principal(s), and school security personnel.

2. No police juvenile record or information, except for that information appearing on records open to public inspection, shall be given to anyone not authorized by the above title.

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1. The first part of the report deals with the general situation of the country and the progress of the work during the year.

2. The second part of the report deals with the results of the work during the year and the progress of the work during the year.

3. The third part of the report deals with the results of the work during the year and the progress of the work during the year.

4. The fourth part of the report deals with the results of the work during the year and the progress of the work during the year.

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8. The eighth part of the report deals with the results of the work during the year and the progress of the work during the year.

9. The ninth part of the report deals with the results of the work during the year and the progress of the work during the year.

10. The tenth part of the report deals with the results of the work during the year and the progress of the work during the year.

PART II

A. Youth Division Officers.

Officers assigned to the Youth Division shall be responsible for:

1. Processing all juvenile cases between 2400 and 0800 hours, and all cases, regardless of the time, that involve organizational elements assigned to headquarters, e.g., the Narcotic and Special Investigations or Criminal Investigations Divisions;

2. Incidents involving a child who is neglected, in immediate danger, battered, abandoned, or physically or sexually abused;

3. Processing juveniles arrested during demonstrations in accordance with the provisions of the Prisoner Control Handbook;

4. Providing assistance to members investigating situations involving D.C. Law 8-87 (Protection of Children from Exposure to Drug-related Activity), by:

a. Ascertaining and reviewing the circumstances of the situation from the investigating member; and

b. Instructing the investigating member to take a report or not to take a report. When instructing the investigating officer to take a report:

(1) Assisting the investigating officer by answering any questions he/she may have regarding the completion of the PD Form 379-B; and

(2) Advising the investigating member to notify a representative of the Child Protective Services Division and obtain a Child Protective Referral Number; and

5. Notifying the official then in charge of the element in which an A.B.C. violation occurred, when processing an arrest for an A.B.C. violation.

B. Youth Services Officers.

Youth Services officers shall be responsible for:

1. Processing all juvenile cases, except for those cases specifically assigned to the Youth Division, between 0800 and 2400 hours for members of the Patrol Districts and the Special Operations Division;

2. Reviewing all traffic violations involving juveniles under 16 years of age except for those handled by Youth Division officers between 2400 and 0800 hours, and disposing of them with a warning, a referral to Pedestrian or Traffic School, or a referral to the Family Division, Superior Court;

3. Conducting hearings, if deemed necessary, with the parent(s) or guardian;

4. Responding to the scene of all reported child neglect cases involving a child's exposure to any type of drugs/narcotics in his/her household, and being responsible for:

- a. Reviewing the situation with the initial investigating officer (as applicable);
- b. Notifying the Youth Division Watch Commander (briefing him/her of the situation);
- c. Assisting the reporting officer complete a PD Form 379-B, when applicable, and any other PD Forms necessary; and
- d. Notifying a representative of the Youth Division when a PD Form 379-B is to be taken so that the Child Protective Services, Department of Human Services can be notified, and a Child Protective Services Referral Number can be obtained;

5. Notifying the juvenile's parents, guardian, or custodian, when applicable;

6. Determining whether probable cause to charge the juvenile exists;

7. Determining the appropriate charge (if any) to be placed against a juvenile;

8. Monitoring and assisting, when necessary, members in the completion of appropriate PD Forms involving the processing of juveniles;

9. Forwarding all PD Forms 379-C and 202-A, along with the PD Form 251, regarding Public Hall Curfew violations, to the Delinquency Prevention Branch of the Youth Division;

10. Notifying the official in charge of their element when informed of a violation of the A.B.C. regulations involving a juvenile;

11. Checking the juvenile's delinquency history by contacting the Identification and Records Division and Youth Division;

12. Determining whether the juvenile is to be diverted or referred to the Family Division of D.C. Superior Court according to Part IM of this order;

13. Determining if the juvenile should be released or detained when the juvenile is referred to the Family Division;

14. Filling out the appropriate sections of the PD Form 379-D in all cases in which the arresting officer completes a PD Form 379; and

15. Handling diversion cases once the decision has been made to divert the juvenile, by:

- a. Completing the appropriate sections of the PD Forms 379 and 379-D (which detail the Court Referral/Diversion or the Release/Detention determination;
- b. Advising the parent(s) or guardian to whom the juvenile is released, that the juvenile has been diverted from the criminal justice system and will not be prosecuted for the present offense; and
- c. Explaining the component parts of the Early Intervention Program (EIP) to the juvenile and his/her parent(s) or guardian and advising them that they will be contacted within seven days with more information about this program.
 - (1) In cases where a juvenile from another jurisdiction is arrested and a decision is made to divert him/her, he/she shall be processed in the same manner as a juvenile that resides in the District of Columbia, except that the former is not to be referred to the Metropolitan Police Boys and Girls Club or the Juvenile Intervention Project.
 - (2) Juveniles who reside in the District of Columbia, but in another police district, shall be processed in the same manner as any other juvenile; however, the Youth Services officer handling the initial processing shall:
 - (a) Contact (by telephone) the Youth Services officer in the police district where the juvenile resides and advise that office of the juvenile's arrest and of the fact that he/she has been diverted;
 - (b) Advise the juvenile and his/her parent(s) or guardian that a Youth Services officer (from the district in which they reside) will contact them within seven days with more information about the EIP; and
 - (c) Release the juvenile to the custody of his/her parent(s) or guardian.
- d. Logging the following information into the Diversion Case Logbook upon being notified by another district Youth Services officer that a juvenile residing in your police district has been diverted:

- (1) The juvenile's name and address,
 - (2) Date of birth,
 - (3) Charge,
 - (4) Complaint Number,
 - (5) District of arrest,
 - (6) Name of referring Youth Services officer,
 - (7) Youth Services officer who received the information, and
 - (8) Date and time the case was transferred; and
- e. After review and approval by a Youth Services official, attaching the original and one copy of the PD Form 379 to a copy of the PD Form 379-D and forwarding them to the Youth Division with the midnight papers.

PART III

A. Supervisor, Youth Services.

District Youth Services officials shall:

1. Act as Early Intervention Program managers for their police district;
2. Be responsible for the administration and day-to-day operations of the Early Intervention Program;
3. Review all reports and documents pertaining to Youth Services cases and ensure that all reports are correct and contain proper dispositions;
4. Assign cases for follow-up conferences and make determinations as to when and how they will be closed subject to review by the Youth Services Coordinator at the Youth Division;
5. Monitor follow-up cases assigned to officers to ensure that the conferences are conducted and cases are handled, as specified in Part IIB of this order;
6. Review open cases on a daily basis to ensure that all reports are distributed in a timely fashion;
7. Assist their district Youth Services officers in diversion decisions in those cases where doubt exists as to how the case should be handled;

8. Make the final decision on whether Youth Services officers are available to attend treatment/counseling sessions at the Juvenile Intervention Project in cases they have referred; and

9. Maintain a Diversion Case Logbook which shall be used to record and document all juvenile arrests processed by their respective Youth Services officers.

B. Element Watch Commanders.

Element watch commanders shall be responsible for preparing a report describing the facts and circumstances surrounding all attempted suicides by juveniles within their element. This report shall be submitted through channels, to the Director, Identification and Records Division, and shall include the name and address of the juvenile, his/her social security number, name of mother or father, date of birth, and police identification number.

C. Watch Commander, Youth Division.

The Youth Division Watch Commander shall:

1. Assign a Youth Division investigator to investigate cases of sexually exploited, physically abused children, those children who are in immediate danger, and any other case he/she determines should be handled by a Youth Division investigator.

2. Give approval for fingerprinting and photographing of juveniles who:

- a. Are not charged with a felony, Part I offense, or drug distribution in accordance with the guidelines of this order; and
- b. Juvenile offenders under 13 years of age.

D. Youth Services Coordinator.

The Youth Services Coordinator shall coordinate all activities involved in the Early Intervention Program, and act as the major point of contact with the Juvenile Intervention Project.

E. Commanding Officers, Patrol Districts.

District commanders shall:

1. Establish within their respective elements, in conjunction with the Commander, Youth Division, a Youth Services unit; and

2. Ensure that all Youth Services activities are coordinated with the Youth Services Coordinator assigned to the Youth Division.

F. Commanding Officer, Youth Division.

The Commanding Officer, Youth Division, shall be responsible for:

1. The general direction, coordination, and control of all efforts of the department in combatting juvenile delinquency;
2. Ensuring that the policy of handling juveniles is uniformly applied throughout the department; and
3. Ensuring that a monthly report is forwarded to the Patrol Operations Officer by the fifth day of the month following the receipt of a report of a Public Hall Curfew violation.

G. Director, Identification and Records Division.

The Director, Identification and Records Division, shall be responsible for:

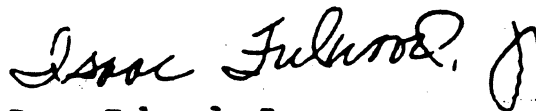
1. Maintaining the Central Juvenile Log, and all other records pertaining to juveniles; and
2. Ensuring that a copy of all PD Forms 251 classified as "Public Hall Curfew Violations," are forwarded to the Department of Consumer and Regulatory Affairs.

H. Director, Data Processing Division.

The Director, Data Processing Division, shall be responsible for compiling and publishing statistical information regarding juvenile activities to be used by the department for operational and budgetary requirements, and forwarding all juvenile reports to the Identification and Records Division after extracting pertinent information.

I. Director, Training Division.

The Director, Training Division, in conjunction with commanding officers of the patrol districts and the Youth Division, shall be responsible for periodically conducting various training programs for all youth officers.



Isaac Fulwood, Jr.
Chief of Police

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